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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,005	01/08/2002	Rabindranath Dutta	AUS920010636US1	4931
35525	7590	10/31/2006	EXAMINER	
IBM CORP (YA) C/O YEE & ASSOCIATES PC P.O. BOX 802333 DALLAS, TX 75380			MANNING, JOHN	
			ART UNIT	PAPER NUMBER
			2623	

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/042,005	Applicant(s) DUTTA ET AL.	
	Examiner John Manning	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-14, 18, 19, 31 and 32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-14, 18-19, 31-32 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to the amended claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 4, 8-9, 11-12, 14, 18-19 and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis (US Pat No 5,589,945) in view of Ellis et al. (US Pat App Pub No 2003/0149988).

In regard to claims 1, 11 and 33, Abecassis discloses "a video system comprising integrated random access video technologies and video software architectures for the automated selective retrieval of non-sequentially stored parallel, transitional, and overlapping video segments from a single variable content program source, responsive to a viewer's preestablished video content preferences. Embodiments of the video system permit the automatic transmission of the selected segments from a variable content program as a seamless continuous and harmonious video program, and the transmission of the selected segments from an interactive video game further responsive to the logic of the interactive video game. The viewer's video content

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preferences being stored in the video system, and/or in a compact portable memory device that facilitates the automatic configuration of a second video system. The system's controls also provide an editor of a variable content program the capability for efficiently previewing automatically selected video segments to permit the editor to indicate the inclusion of the selected segments in the program to be viewed by a viewer" (Abstract). The claimed limitation of "receiving a broadcast signal" is met by Figure 5 (See: Col 18, Line 64 – Col 19, Lines 18). The claimed limitation of "displaying a broadcast associated with the broadcast signal" is met by Figure 5, Item 506 (See: Col 12, Line 20-29). The claimed limitation of "recording the broadcast to create a recorded broadcast" is met by Figure 5, Item 514 (See: Col 14, Line 23-42; Col 18, Lines 10-26). The claimed limitation of "receiving an edited recorded broadcast at a master unit, wherein the edited recorded broadcast is formed when a user edits the recorded broadcast using the master unit, and wherein the edited recorded broadcast is a session" is met by Figures 3A-3C (See: Col 9, Line 34-49; Col 19, Line – Col 20, Line 9; Col 21 Line 51 – Col 22, Line 25). The claimed limitation of "responsive to receiving input from the user to associate a subsidiary unit with the session, associating the subsidiary unit with the session using the master unit" is met by Figure 7, 721 (See: Col 20, Lines 38-46; Col 19, Lines 30-39; Col 21 Line 51 – Col 22, Line 25) and Figure 3B-3C (See: Col 9, Line 34 – Col 10, Line 5). The user provides input to the master unit (RAViT) controlling the usage of the subsidiary units. The claimed limitations of "transmitting the session to the subsidiary unit, wherein the step of transmitting is performed in parallel with the step of receiving the edited recorded broadcast" and

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“wherein the step of transmitting is performed with a delay” are met by the disclosed video buffer (See: Col 14, Line 23-42; Col 16, Lines 47-65). Abecassis is silent with respect to the subsidiary unit and the master unit being part of a home network. Ellis teaches the use of a subsidiary unit and the master unit being part of a home network so as to record programs (Paragraphs 0013, and 0076-0079). Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Abecassis with the use of a subsidiary unit and the master unit being part of a home network for the stated advantage. One of ordinary skill in the art would have clearly recognized the advantages of implementing a home/local network (e.g. reducing bandwidth demands on the overall system, higher data rates, etc).

In regard to claims 2 and 12, the claimed limitation of “by providing input to the master unit to delete a portion of a content of the recorded broadcast” is met by Figures 3B-3C (See: Col 9, Line 34 – Col 10, Line 5).

In regard to claims 4 and 14, the claimed limitation of “the subsidiary unit is configured to display the session” is disclosed by Abecassis (See Col 12, Lines 20-29; Col 19, Lines 30-38; Col 19, Lines 48-53).

In regard to claims 9 and 19, Abecassis fails to disclose said delay is a variable delay. The Examiner takes Official Notice that it is notoriously well known in the art to have a variable delay of a transmission so as to buffer a signal with respect to the current characteristics of the system. Consequently, it would have been obvious to one of ordinary skill in the art to modify Abecassis with a delay is a variable delay for the stated advantage.

In regard to claims 31 and 32, the claimed limitations of “editing, in parallel, the recorded broadcast a plurality of times to produce a plurality of corresponding sessions” and “editing, in parallel, the recorded broadcast a plurality of times to produce a plurality of corresponding sessions” are disclosed by Abecassis (See Col 20, Lines 38-46; Col 23, Lines 18-44; Col 24, Line 55 – Col 25, Line 8). The MPAA rating system is an age-based system (e.g. PG-13 indicates that the material may not be suitable for children under 13).

Claims 8 and 18 are met by that discussed above for claims 1, 11 and 33.

4. Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis in view of Ellis and in further view of Tabuchi et al. (TV Community System That Enables Users To Build and Maintain a Community Associated With the Time-Line of TV Program, 1999, Scientific Publication Information Processing Research Report, Vol. 99, No. 7, ISSN 0919-6072).

In regard to claims 3 and 13, Abecassis and Ellis fail to disclose by providing input to the master unit to annotate a portion of a content of the recorded broadcast. Tabuchi teaches by providing input to the master unit to annotate a portion of a content of the recorded broadcast (Pages 3 and 11-2) so as to allow the viewer to participate and offer feedback. Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Abecassis and Ellis with the use of providing input to the master unit to annotate a portion of a content of the recorded broadcast for the stated advantage.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Manning whose telephone number is 571-272-7352. The examiner can normally be reached on M-F: 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JM
October 30, 2006



JOHN MILLER
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